

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



April 6, 2007

Regulation Package #0704-05

CDSS MANUAL LETTER NO. CCL-07-03

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22,
DIVISION 6, CHAPTER 3.5, ADULT DAY SUPPORT CENTER

Regulation Package #0704-05**Effective 1/12/07****Entire Manual**

This manual letter has been posted on the Office of Regulations Development website at http://www.dss.cahwnet.gov/ord/AdultDaySu_624.htm.

Community care facilities (with some exceptions) must meet General Licensing Requirements which are contained in Title 22, Division 6, Chapter 1, Sections 80000 through 80094.5. These general requirements include those regulatory areas which are common to most licensing categories. The regulatory areas, though common to most licensing categories, do contain some requirements applicable only to a specific licensing category. Licensees must also comply with regulations specific to the type of license for which they are applying.

These regulations are the result of Senate Bill (SB) 1982, (Chapter 773, Statutes of 2002). The statute consolidated the Adult Day Care Facilities and Adult Day Support Centers into one program to be known as the Adult Day Programs. Merging of the two programs proposes to improve consumer access to community care licensed programs and minimize complexity and confusion for consumers, providers, and regulators.

To implement the provisions of SB 1982, the Community Care Licensing Division, in conjunction with a workgroup of stakeholders, developed and consolidated the existing adult day care, adult day support center and applicable general licensing regulations into one stand-alone chapter that will govern only adult day programs as allowed in SB 1982, Section 1(b). The workgroup convened in 2003 and included representatives from the California Association for Adult Day Services (CAADS), Lodi Memorial Hospital – Acute Day Care, California Rehabilitation Association, Community Options, Southside Art Center, Advocacy Resources and Choices, California Department of Aging, Developmental Services, and the Department's Legal Division.

Adult day programs provide services to persons with developmental disabilities, elders with functional or cognitive impairments, and other adults needing daytime assistance outside of the home. Adult day programs provide a wide variety of services ranging from respite for caregivers to independent living skill training for persons with developmental disabilities. There is a need to modernize the rules governing the licensure of adult day programs in keeping with the state's policy to offer consumers choices and to provide services in the least restrictive setting.

The purpose of this regulation package is to consolidate what previously were three separate and distinct regulation chapters into a single, stand-alone regulation chapter, Chapter 3, Adult Day Programs.

These regulations are effective on January 12, 2007 and were considered at the Department's public hearing held on August 17, 2005.

FILING INSTRUCTIONS

The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-07-02. The latest prior manual letter containing Adult Day Support Center regulations changes was Manual Letter No. CCL-98-08.

Please replace your entire manual with the attached pages.

Attachment

RG

Manual of Policies and Procedures
COMMUNITY CARE LICENSING DIVISION

**ADULT DAY SUPPORT
CENTER**

Title 22
Division 6
Chapter 3.5



STATE OF CALIFORNIA
Arnold Schwarzenegger, Governor
HEALTH AND HUMAN SERVICES AGENCY
S. Kimberly Belshé, Secretary
DEPARTMENT OF SOCIAL SERVICES
Cliff Allenby, Interim Director

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January, 2007

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ADULT DAY SUPPORT CENTER

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Article 4. Administrative Actions (Reserved)

Repealed by Manual Letter No. CCL-07-03, effective 1/12/07	
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Article 5. Civil Penalties (Reserved)

Repealed by Manual Letter No. CCL-07-03, effective 1/12/07	
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Renumbered and repealed by Manual Letter No. CCL-07-03, effective 1/12/07	82564
Renumbered and repealed by Manual Letter No. CCL-07-03, effective 1/12/07	82565
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ADULT DAY SUPPORT CENTER

This Users' Manual is issued as an operational tool.

- a) Regulations adopted by the California Department of Social Services (CDSS) for the governance of its agents, licensees, and/or beneficiaries
- b) Regulations adopted by other State Department affecting CDSS programs
- c) Statutes from appropriate Codes which govern CDSS programs
- d) Court decisions and
- e) Operational standards by which CDSS staff will evaluate performance within CDSS programs.

Regulations of CDSS are printed in gothic type as is this sentence.

Handbook material, which includes reprinted statutory material, other department's regulations and examples, is separated from the regulations by double lines and phrases "**HANDBOOK BEGINS HERE**", "**HANDBOOK CONTINUES**", and "**HANDBOOK ENDS HERE**" in bold print. Please note that both other departments' regulations and statutes are mandatory, not optional.

In addition, please note that as a result of the change to a new computer system revised language in all subsequent community care licensing manual letters will now be identified by a vertical line in the left margin.

Questions relative to this Users' Manual should be directed to your usual program policy office.

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CHAPTER 3.5 ADULT DAY SUPPORT CENTER**Article 1. General Requirements****82500 GENERAL****82500**

- | (a) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82501 DEFINITIONS**82501**

- | (a) (1) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (A) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (B) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (C) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (2) Renumbered to Section 82001(a)(7) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (b) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (c) (1) Renumbered to Section 82001(c)(4) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (2) Renumbered to Section 82001(c)(11) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (d) (1) Renumbered to Section 82001(d)(6) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (e) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (f) (1) Renumbered to Section 82001(f)(2) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (2) et seq. Renumbered to Section 82001(f)(3) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (g) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (h) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.

82501 DEFINITIONS (Continued)**82501**

- | (i) (1) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (j) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (k) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (l) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (m) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (n) (1) Renumbered to Section 82001(n)(1) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (o) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (p) (1) Renumbered to Section 82001(p)(1) by Manual Letter No. CCL-07-03, effective 1/12/07.
- | (q) through (z) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07.

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, and 1531, Health and Safety Code.

Article 2. Licensing (Reserved)

Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

Article 3. Application Procedures

Article Title repealed by Manual Letter No. CCL-07-03, effective 1/12/07

82522 PLAN OF OPERATION**82522**

Renumbered to Section 82022 by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1520, and 1531, Health and Safety Code.

Article 4. Administrative Actions (Reserved)

Article Title repealed by Manual Letter No. CCL-07-03, effective 1/12/07

Article 5. Civil Penalties (Reserved)

Article Title repealed by Manual Letter No. CCL-07-03, effective 1/12/07

Article 6. Continuing Requirements

Article Title repealed by Manual Letter No. CCL-07-03, effective 1/12/07

82564 ADMINISTRATOR - QUALIFICATIONS AND DUTIES**82564**

(a) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(b) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(1) Renumbered to Section 82064(h) et seq. by Manual Letter No. CCL-07-03, effective 1/12/07

(2) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(c) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(1) Renumbered to Section 82064(i) by Manual Letter No. CCL-07-03, effective 1/12/07

(2) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

82564 ADMINISTRATOR - QUALIFICATIONS AND DUTIES (Continued)**82564**

- (d) et seq. Renumbered to Sections 82064(a)(1) and (2) et seq. by Manual Letter No. CCL-07-03, effective 1/12/07
- (e) Renumbered to Section 82064(b) by Manual Letter No. CCL-07-03, effective 1/12/07
- (f) and (f)(1) through (4) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- (f)(5) through (8) Renumbered to Sections 82064(c)(11) through (14) respectively by Manual Letter No. CCL-07-03, effective 1/12/07
- (f)(9) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- (f)(10) and (11) et seq. Renumbered to Sections 82064(c)(15) and (16) et seq., respectively by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1531, and 1562, Health and Safety Code.

82565 PERSONNEL REQUIREMENTS**82565**

- (a) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- (b) Renumbered to Section 82065(o) by Manual Letter No. CCL-07-03, effective 1/12/07
- (c) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1531, and 1562, Health and Safety Code.

82565.1 PERSONNEL QUALIFICATIONS AND DUTIES**82565.1**

- (a) Renumbered to Section 82065.1(d) by Manual Letter No. CCL-07-03, effective 1/12/07
 - (1) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
 - (2) Renumbered to Section 82064(d) by Manual Letter No. CCL-07-03, effective 1/12/07
 - (3) Renumbered to Section 82064(d)(1) by Manual Letter No. CCL-07-03, effective 1/12/07
 - (A) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

82565.1 PERSONNEL QUALIFICATIONS AND DUTIES
(Continued)**82565.1**

| (b) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (c) through (c)(3) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (A) Renumbered to Section 82065.1(c) by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1531, and 1562, Health and Safety Code.

82565.5 STAFF PARTICIPANT RATIO**82565.5**

| (a) Renumbered to Section 82065.5(b) by Manual Letter No. CCL-07-03, effective 1/12/07

| (b) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (c) Renumbered to Section 82065.5(b)(1) by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, 1531, and 1562, Health and Safety Code.

82568.2 NEEDS AND SERVICES PLAN**82568.2**

| (a) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (b) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (1) Renumbered to Section 82068.2(f)(1)(E) by Manual Letter No. CCL-07-03, effective 1/12/07

| (2) Renumbered to Section 82068.2(f)(1)(F) by Manual Letter No. CCL-07-03, effective 1/12/07

| (3) Renumbered to Section 82068.2(f)(2) by Manual Letter No. CCL-07-03, effective 1/12/07

| (4) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (5) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (6) Renumbered to Section 82068.2(f)(3) by Manual Letter No. CCL-07-03, effective 1/12/07

82568.2 NEEDS AND SERVICES PLAN
(Continued)**82568.2**

(7) Renumbered to Section 82068.2(f)(4) by Manual Letter No. CCL-07-03, effective 1/12/07

(A) through (D) Renumbered to Sections 82068.2(f)(4)(A) through (D), respectively, by Manual Letter No. CCL-07-03, effective 1/12/07

(E) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(c) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(d) et seq. Renumbered to Section 82068.2(g) et seq. by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, and 1531, Health and Safety Code.

82568.3 MODIFICATIONS TO THE NEEDS AND SERVICES PLAN**82568.3**

(a) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

(b) Renumbered to Section 82068.3(a)(1) by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, and 1531, Health and Safety Code.

82568.5 PROCEDURES FOR DISCHARGE**82568.5**

Renumbered to Section 82068.5 by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82570 PARTICIPANT'S RECORDS**82570**

Renumbered to Section 82070 by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82575	HEALTH-RELATED SERVICES	82575
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- | (a) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- | (b) Renumbered to Section 82075(n) by Manual Letter No. CCL-07-03, effective 1/12/07
- | (c) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- | (d) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- | (e) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07
- | (f) Renumbered to Section 82075(f)(1) by Manual Letter No. CCL-07-03, effective 1/12/07
- | (g) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, and 1531, Health and Safety Code.

82575.1	DAILY INSPECTIONS FOR ILLNESS	82575.1
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- | Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, and 1531, Health and Safety Code.

82576	FOOD SERVICES	82576
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- | Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82577	PERSONAL SERVICES	82577
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- | Renumbered to Section 82077 by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82579	ACTIVITIES	82579
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| (a) et seq. Renumbered to Section 82079 et seq. by Manual Letter No. CCL-07-03, effective 1/12/07

| (b) Renumbered to Section 82079(e)(3) by Manual Letter No. CCL-07-03, effective 1/12/07

| (c) through (g) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, 1507, and 1531, Health and Safety Code.

Article 7. Physical Environment

| Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

82587	BUILDINGS AND GROUNDS	82587
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| (a) through (d) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (e) Renumbered to Section 82087(j) by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82587.2	OUTDOOR ACTIVITY SPACE	82587.2
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| Renumbered to Section 82087.2 et seq. by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82587.3	INDOOR ACTIVITY SPACE	82587.3
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| (a) Renumbered to Section 82087.3(a) by Manual Letter No. CCL-07-03, effective 1/12/07

| (b) et seq. Renumbered to Section 82087.3(b) et seq. by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82587.4	STORAGE SPACE	82587.4
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| Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82588	FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES	82588
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| (a) through (c) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (d) Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

| (1) Renumbered to Section 82077.4(b)(11) by Manual Letter No. CCL-07-03, effective 1/12/07

| (e) Renumbered to Section 82077.4(b)(12) by Manual Letter No. CCL-07-03, effective 1/12/07

| (f) Renumbered to Section 82077.4(b)(13) by Manual Letter No. CCL-07-03, effective 1/12/07

| (g) through (i) et seq. Repealed by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

82588.2	DRINKING WATER	82588.2
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| Renumbered to Section 82088 by Manual Letter No. CCL-07-03, effective 1/12/07

NOTE: Authority cited: Section 1530, Health and Safety Code. Reference: Sections 1501, 1502.2, and 1531, Health and Safety Code.

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